

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1750 be amended to read as follows:

- 1 Page 1, delete lines 1 through 15 and insert:
- 2 "SECTION 1. IC 20-1-1-6.3 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6.3. (a) As used in this
- 4 section, "governing body" refers to the governing body of a school
- 5 corporation.
- 6 (b) As used in this section, "~~program~~" "**plan**" refers to ~~an Indiana~~
- 7 ~~school academic improvement program established under this section:~~
- 8 **a strategic and continuous school improvement and achievement**
- 9 **plan developed under IC 20-10.2-3.**
- 10 (c) ~~The board shall permit the governing body to establish an~~
- 11 ~~Indiana school academic improvement program~~
- 12 **(c) A plan must conform to the requirements of IC 20-10.2-3**
- 13 **and include a professional development program that conforms to**
- 14 **section 6.5 of this chapter.**
- 15 (d) The governing body may do the following for a school that
- 16 participates in ~~the program:~~ **a plan:**
- 17 (1) Invoke a waiver of any rule adopted by the board ~~(except a~~
- 18 ~~rule adopted under this section):~~ **in accordance with**
- 19 **IC 20-10.2-3-4(b).**
- 20 (2) Develop a plan for the admission of students to the school who
- 21 do not reside in the school's attendance area but who have legal
- 22 settlement within the school corporation.
- 23 ~~(d)~~ **(e)** In approving school corporations under this section, the
- 24 board shall consider whether the governing body has done the

following: for participation in the program:

(1) Established an Indiana school academic improvement program:

(2) Adopted academic education goals:

(3) Established a community-wide strategy for achieving those academic goals:

(4) Developed a report card for measuring a participating school's progress in achieving those academic goals:

(5) Demonstrated community support for participation in the program, including **Approved a school's plan.**

**(2) Demonstrated** the support of the exclusive representative **only for the professional development program component of the plan.**

(e) With the approval of the governing body, the board may designate a single school; more than one (1) school; or every school within a particular school corporation to participate under this section:

(f) With the approval of the governing body, The board may waive any statute **or rule** relating to curriculum or textbook selection on behalf of a school **or school corporation participating under this section: in accordance with IC 20-10.2-3-4(c).**

(g) Funds available for school improvements under IC 20-10.1-26 (twenty-first century schools pilot program) may be expended to fund the program:

~~(h)~~ (g) As part of the **program, plan**, the governing body may develop and implement a **plan policy** to do the following:

(1) Allow for the transfer of a student who resides in the school's attendance area but whose parent or legal guardian requests that the student attend another school within the school corporation of legal settlement.

(2) Allow a school that has established a program to offer alternatives to participation in the program:

~~(3)~~ (2) Inform parents of their rights under this section.

~~(i)~~ (h) The board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 2. IC 20-1-1-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6.5. (a) As used in this section, "board" refers to the state board of education established under section 1 of this chapter.

(b) As used in this section "department" refers to the department of education established under IC 20-1-1.1-2.

(c) As used in this section, "governing body" has the meaning set forth in IC 20-10.1-1-5.

(d) As used in this section, "plan" refers to an Indiana school academic plan established under section 6.3 of this chapter.

(e) As used in this section, "program" refers to a professional development program.

(f) As used in this section, "superintendent" has the meaning set forth in IC 20-10.1-1-6.

(g) A school shall develop a program as a component of a plan established by the school.

(h) The following apply to a program developed under this section:

(1) The program must emphasize improvement of student learning and performance.

(2) The program must be developed by the committee that develops the school's strategic and continuous improvement and achievement plan under IC 20-10.2-3-1.

(3) The program must be integrated with the school's strategic and continuous improvement and achievement plan developed under IC 20-10.2-3.

(i) A school committee shall submit the school's program to the superintendent for the superintendent's review. The superintendent:

(1) shall review the plan to ensure that the program aligns with the school corporation's objectives, goals, and expectations;

(2) may make written recommendations of modifications to the program to ensure alignment; and

(3) shall return the program and any recommendations to the school committee.

(j) A school committee may modify the program to comply with recommendations made by the superintendent under subsection (i).

(k) A school committee shall submit:

(1) the program; and

(2) the written recommendations of the superintendent;

to the governing body. The governing body shall review the program and submit it to the board.

(l) The board may approve a school's program only if the program meets the board's core principles for professional development and the following additional criteria:

(1) The program is school based and collaboratively designed and encourages participants to work collaboratively.

(2) A variety of resources, including needs assessments, professional literature, research, and school improvement programs, are used in developing the program.

(3) The program supports professional development for all stakeholders.

(4) The program includes ongoing professional growth experiences that provide adequate time and job embedded opportunities to support school improvement and student learning, including flexible time for professional development that provides professional development opportunities before,

during, and after the regular school day and school year.

(5) Under the program, teacher time for professional development sustains instructional coherence, participant involvement, and continuity for students.

(6) The program includes effective, research based strategies to support ongoing developmental activities.

(7) The program supports experiences to increase the effective use of technology to improve teaching and learning.

(8) The program encourages diverse techniques, including inquiry, reflection, action research, networking, study groups, coaching, and evaluation.

(9) The program includes a means for evaluating the effectiveness of the program and activities under the program.

(m) The board shall approve an evaluation system for professional development based on recommendations from the department and the professional standards board. The department shall develop a means for measuring successful programs and activities in which schools participate. The measurements must include the following:

(1) A mechanism to identify and develop strategies to collect multiple forms of data that reflect the achievement of expectations for all students. The data may include the results of ISTEP tests under IC 20-10.1-16, local tests, classroom work, and teacher and administrator observations.

(2) A procedure for using collected data to make decisions.

(n) A school qualifies for a grant from the department when the school's program, developed and submitted under this section, is approved by the board upon recommendation of the department. For purposes of determining whether a school qualifies for a grant under this chapter, the department shall:

(1) review;

(2) suggest changes to; and

(3) recommend approval or rejection of;

a school's program.

(o) A school must use a grant received under this chapter to implement all or part of the school's program by funding activities that may include the following:

(1) Partnership programs with other entities, including professional development schools.

(2) Teacher leadership academies, research teams, and study groups.

(3) Workshops, seminars, and site visits.

(4) Cooperative programs with other school corporations.

(5) National board certification for teachers.

(p) A school shall report to the department concerning the use

of grants received under this chapter. A school that fails to make a report under this section is not eligible for a subsequent grant.

SECTION 3. IC 20-1-1.2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) A school in Indiana may be accredited:

(1) under the performance based accreditation system established by this chapter; or

(2) by implementing a quality focused approach to school improvement such as the criteria for the Malcolm Baldrige National Quality Award for Education or for a national or regional accreditation agency that is recommended by the education roundtable and approved by the board.

(b) The board shall establish the following:

(1) A performance-based accreditation system for accrediting schools in Indiana under this chapter. The accreditation system adopted under this chapter must be the only accreditation system authorized by the board.

(2) A procedure for determining whether a school is making progress toward meeting the criteria for the Malcolm Baldrige National Quality Award for Education or a national or regional accreditation agency.

(c) The department shall establish a schedule for accrediting schools under this chapter.

SECTION 4. IC 20-1-1.2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) Each school shall submit to the department the following benchmarks:

(1) Graduation rate:

(2) Attendance rate:

(3) ISTEP scores; or, for a freeway school, scores on a locally adopted assessment program; if appropriate, including the number and percentage of students:

(A) meeting an advanced standard; or

(B) meeting a proficient standard:

(4) Actual class size:

(5) The number and percentage of students in the following groups or programs:

(A) At risk:

(B) Vocational education:

(C) Special education:

(D) Gifted or talented:

(E) Remediation/preventative remediation:

(F) Technology preparation:

(6) Advanced placement, including the following:

(A) For advanced placement tests, the number and percentage of students:

(i) scoring three (3), four (4), and (5); or

- 1 (ii) participating.
- 2 (B) For the Scholastic Aptitude Test, the number and
- 3 percentage of students:
- 4 (i) above a designated proficient score;
- 5 (ii) above a designated advanced score; or
- 6 (iii) participating.
- 7 (7) Course completion, including the number and percentage of
- 8 students completing the following programs:
- 9 (A) Academic honors diploma.
- 10 (B) Core 40 curriculum.
- 11 (C) Vocational programs.
- 12 (8) The percentage of graduates who pursue higher education.
- 13 (9) School safety, including the number and percentage of
- 14 students receiving suspension or expulsion for the possession of
- 15 alcohol, drugs, or weapons.
- 16 (10) Financial information relevant to performance.
- 17 (b) The superintendent and board shall determine which **of the**
- 18 **benchmarks under subsection (a) and indicators of performance**
- 19 **listed in IC 20-1-21-9** are appropriate benchmarks for performance
- 20 based accreditation under ~~IC 20-1-1.3-3~~; **this chapter**.
- 21 SECTION 5. IC 20-1-1.2-7 IS AMENDED TO READ AS
- 22 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The department
- 23 shall ~~(1) review the information submitted under section 6 of this~~
- 24 ~~chapter relative to the socioeconomic factors of and resources available~~
- 25 ~~to that particular school under section 5 of this chapter; and (2)~~
- 26 ~~determine whether the school has complied with the following legal~~
- 27 ~~standards for accreditation:~~
- 28 ~~(A) (1) Health and safety requirements.~~
- 29 ~~(B) (2) Minimum time requirements for school activity.~~
- 30 ~~(C) (3) Staff-student ratio requirements.~~
- 31 ~~(D) (4) Curriculum offerings.~~
- 32 ~~(E) (5) Development and implementation of a staff evaluation~~
- 33 ~~plan under IC 20-6.1-9.~~
- 34 ~~(F) (6) Development and implementation of a beginning teacher~~
- 35 ~~internship program under IC 20-6.1-8.~~
- 36 ~~(G) (7) Completion of a school improvement plan that:~~
- 37 ~~(i) (A) analyzes the strengths and weaknesses of the school;~~
- 38 ~~(ii) (B) outlines goals of the school community to which~~
- 39 ~~school improvement activities will be directed; and~~
- 40 ~~(iii) (C) identifies objectives of the school and programs~~
- 41 ~~designed to achieve those objectives.~~
- 42 ~~(b) In no event may the objectives identified under subsection~~
- 43 ~~(a)(2)(G)(iii) be less than the level of performance expected for that~~
- 44 ~~school under section 5 of this chapter.~~
- 45 SECTION 6. IC 20-1-1.2-8 IS AMENDED TO READ AS
- 46 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) If the department

1 determines that:

2 (1) a school has complied with all of the legal standards under  
3 ~~section 7(a)(2)~~ **section 7** of this chapter; and

4 (2) the school's performance has met the expectations for that  
5 school in the areas described in section 6 of this chapter;

6 the board shall make a determination that the school has acquired full  
7 accreditation status.

8 (b) The next review under this chapter of a school described under  
9 subsection (a) shall be conducted no later than five (5) years after the  
10 board's determination of full accreditation.

11 **SECTION 7. IC 20-1-1.2-9 IS AMENDED TO READ AS**  
12 **FOLLOWS [EFFECTIVE JULY 1, 1999]:** Sec. 9. (a) If the department  
13 verifies that:

14 (1) a school has not complied with all of the legal standards under  
15 ~~section 7(a)(2)~~ **section 7** of this chapter; or

16 (2) the school's performance has not met the expectations for that  
17 school in the areas described in section 6 of this chapter;

18 a review panel of at least three (3) members shall conduct an onsite  
19 evaluation of that school in order to make a recommendation to the  
20 board as to the accreditation status of that school.

21 (b) The department may not publish or otherwise make available for  
22 public inspection any information concerning a school's compliance  
23 with legal standards under ~~section 7(a)(2)~~ **section 7** of this chapter, the  
24 meeting of performance expectations under section 6 of this chapter,  
25 the assignment of an onsite review panel under section 9 of this  
26 chapter, or the recommended accreditation status of the school until all  
27 onsite reviews have taken place and recommendations to the board  
28 concerning the accreditation status of schools have been made.

29 **SECTION 8. IC 20-1-1.2-11 IS AMENDED TO READ AS**  
30 **FOLLOWS [EFFECTIVE JULY 1, 1999]:** Sec. 11. (a) During its  
31 ~~on-site onsite~~ evaluation, a review panel shall review the following for  
32 a school:

33 (1) Teaching practices and administrative leadership in  
34 instruction.

35 (2) Parental and community involvement.

36 (3) Implementation of the ISTEP remediation program under  
37 IC 20-10.1-17 and the educational opportunity program for at-risk  
38 children.

39 (4) The homework policy.

40 (b) In addition to its review under subsection (a), the review panel  
41 shall verify compliance with the legal standards for accreditation set  
42 out in ~~section 7(a)(2)~~ **section 7** of this chapter.

43 **SECTION 9. IC 20-1-1.3-3 IS AMENDED TO READ AS**  
44 **FOLLOWS [EFFECTIVE JULY 1, 1999]:** Sec. 3. The board shall  
45 implement the performance-based award and incentive program to  
46 recognize and reward schools that have exhibited relative improvement

toward the performance benchmarks **and indicators of performance listed in IC 20-1-21-9 that are** determined to be appropriate for the school by the superintendent and board. **including the following benchmarks:**

- (1) Graduation rate:
- (2) Attendance rate:
- (3) ISTEP scores under the ISTEP program or a locally adopted assessment program used by a freeway school; including the number and percentage of students:
  - (A) meeting an advanced standard; or
  - (B) meeting a proficient standard:
- (4) Actual class size:
- (5) The number and percentage of students in the following groups or programs:
  - (A) At risk:
  - (B) Vocational education:
  - (C) Special education:
  - (D) Gifted or talented:
  - (E) Remediation/preventative remediation:
  - (F) Technology preparation:
- (6) Advanced placement; including the following:
  - (A) For advanced placement tests; the number and percentage of students:
    - (i) scoring three (3); four (4); and (5); or
    - (ii) participating:
  - (B) For the Scholastic Aptitude Test; the number and percentage of students:
    - (i) above a designated proficient score;
    - (ii) above a designated advanced score; or
    - (iii) participating:
- (7) Course completion; including the number and percentage of students completing the following programs:
  - (A) Academic honors diploma:
  - (B) Core 40 curriculum:
  - (C) Vocational programs:
- (8) The percentage of graduates who pursue higher education:
- (9) School safety; including the number and percentage of students receiving suspension or expulsion for the possession of alcohol; drugs; or weapons:
- (10) Financial information relevant to performance:

SECTION 10. IC 20-1-21-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. A report must contain the following:

- (1) The benchmarks **and indicators of performance** listed in section 9 of this chapter for each of the preceding three (3) years.
- (2) Additional components determined under section 8(4) of this

chapter.

(3) A comparison of the benchmarks described in section 9(1) through 9(3) of this chapter to performance based accreditation goals developed under IC 20-1-1.2.

(4) Additional information or explanation that the governing body wishes to include, **including results of assessments of students under programs other than the ISTEP program that a school corporation uses to determine if students are meeting or exceeding academic standards in grades that are not tested under the ISTEP program.**

SECTION 11. IC 20-1-21-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. The state superintendent and the Indiana state board of education, in consultation with school corporations, educational organizations, ~~and~~ appropriate state agencies, **and other organizations and individuals having an interest in education**, shall develop and periodically revise the following for the benchmarks **and indicators of performance** under section 9 of this chapter and the additional components of the performance report:

(1) Reporting procedures, including the following:

(A) A determination of the information that a school corporation must compile and the information that the department must compile.

(B) A determination of the information required on a school by school basis and the information required on a school corporation basis.

(C) A common format suitable for publication, including tables, graphics, and explanatory text.

(2) Operational definitions.

(3) Standards for implementation.

(4) Additional components for the report that may be benchmarks, **indicators of performance**, or other information.

(5) Targets identified in performance based accreditation goals developed under IC 20-1-1.2 for certain benchmarks and a reporting system that measures schools and school corporations against the targets.

SECTION 12. IC 20-1-21-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. The report must include the following benchmarks **or indicators of performance**:

(1) Graduation rate.

(2) Attendance rate.

(3) ISTEP test scores, or for a freeway school scores on a locally adopted assessment program, if appropriate. ~~including the number and percentage of students:~~

~~(A) meeting an advanced standard; or~~

~~(B) meeting a proficient standard.~~

- (4) Actual class size.
- (5) The number and percentage of students in the following groups or programs:
  - (A) At risk.
  - (B) Vocational education.
  - (C) Special education.
  - (D) Gifted or talented.
  - (E) ~~Remediation/preventative remediation.~~ **Remediation and preventive remediation.**
- (6) Advanced placement, including the following:
  - (A) For advanced placement tests, the number and percentage of students:
    - (i) scoring three (3), four (4), and **five (5); or and**
    - (ii) participating.
  - (B) For the Scholastic Aptitude Test: ~~the number and percentage of students:~~
    - (i) ~~above a designated proficient score; test scores; and~~
    - (ii) ~~above a designated advanced score; or~~
    - (iii) **the number and percentage of students** participating.
- (7) Course completion, including the number and percentage of students completing the following programs:
  - (A) Academic honors diploma.
  - (B) Core 40 curriculum.
  - (C) Vocational programs.
- (8) The percentage of graduates who pursue higher education.
- (9) School safety, including the number and percentage of students receiving suspension or expulsion for the possession of alcohol, drugs, or weapons.
- (10) Financial information **and various school cost factors** relevant to performance.
- (11) Technology accessibility and use of technology in instruction.**
- (12) Staff professional development, including the type and extent of opportunities available.**
- (13) Student mobility rates.**
- (14) Number and types of partnerships with the community, business, or higher education.**
- (15) Teacher licensing, certification, and preparation.**
- (16) The percentage of grade 3 students reading at or above grade 3 level.**
- (17) A comparison of ISTEP scores and the dropout rate.**
- (18) Other indicators of performance as recommended by the education roundtable (IC 20-1-20.5-3).**

SECTION 13. IC 20-10.2 IS ADDED TO THE INDIANA CODE AS A **NEW ARTICLE** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

**ARTICLE 10.2. Accountability for School Performance and Improvement**

**Chapter 1. Applicability**

**Sec. 1.** The provisions in this article concerning schools apply only to the following:

(1) Public schools.

(2) Nonpublic schools that voluntarily become accredited under IC 20-1-1-6.

**Chapter 2. Definitions**

**Sec. 1.** The definitions in this chapter apply throughout this article.

**Sec. 2.** "Annual report" refers to the school corporation annual performance report required by IC 20-1-21.

**Sec. 3.** "Board" has the meaning set forth in IC 20-10.1-1-17.

**Sec. 4.** "Department" has the meaning set forth in IC 20-10.1-1-18.

**Sec. 5.** "Education roundtable" refers to the education roundtable established by IC 20-1-20.5-3.

**Sec. 6.** "Governing body" has the meaning set forth in IC 20-10.1-1-5.

**Sec. 7.** "Nonpublic school" has the meaning set forth in IC 20-10.1-1-3.

**Sec. 8.** "Parent" has the meaning set forth in IC 20-10.1-1-9.

**Sec. 9.** "Plan" refers to a strategic and continuous school improvement and achievement plan established under this article for a school or a school corporation.

**Sec. 10.** "Public school" has the meaning set forth in IC 20-10.1-1-2.

**Sec. 11.** "School" refers to a public or an accredited nonpublic school.

**Sec. 12.** "School corporation" has the meaning set forth in IC 20-10.1-1-1.

**Sec. 13.** "Superintendent" has the meaning set forth in IC 20-10.1-1-6.

**Chapter 3. Strategic and Continuous School Improvement and Achievement Plan**

**Sec. 1.** The principal of each school must coordinate the development of an initial three (3) year strategic and continuous school improvement and achievement plan and coordinate annual review of the plan. The initial plan and annual review must be made with input from a committee of persons interested in the school, including administrators, teachers, parents, and community and business leaders appointed by the principal. Teacher appointments to the committee must be made in accordance with IC 20-7.5-1.

**Sec. 2. (a)** The committee described in section 1 of this chapter

1 must submit a school's initial plan to the superintendent by March  
 2 1 of the school year before the year of implementation. The  
 3 superintendent:

4 (1) shall review the plan to ensure that the plan aligns with the  
 5 school corporation's objectives, goals, and expectations;

6 (2) may make written recommendations of modifications to  
 7 the plan to ensure alignment; and

8 (3) shall return the plan and any recommendations to the  
 9 school committee by April 1 of the school year before the year  
 10 of implementation.

11 (b) A school committee may modify the plan to comply with  
 12 recommendations made by the superintendent under subsection  
 13 (a).

14 (c) A school committee shall submit:

15 (1) the plan; and

16 (2) the written recommendations of the superintendent;  
 17 to the governing body by May 1 of the school year before the year  
 18 of implementation.

19 (d) An initial plan must be established by June 1 of the school  
 20 year before the year of implementation. A plan is established by  
 21 approval of the governing body. The governing body shall approve  
 22 a plan for each school in the school corporation. When a plan is  
 23 presented to the governing body, the governing body must either  
 24 accept or reject the plan and may not revise the plan. A plan is  
 25 established when written evidence of approval is attached to the  
 26 plan.

27 Sec. 3. (a) A plan:

28 (1) shall lay out objectives for a three (3) year period; and

29 (2) must be annually reviewed and revised to accomplish the  
 30 achievement objectives of the school.

31 (b) A plan must establish objectives for the school to achieve.  
 32 These achievement objectives must be consistent with academic  
 33 standards and include improvement in at least the following areas:

34 (1) Attendance rate.

35 (2) The percentage of students meeting academic standards  
 36 under the ISTEP program (IC 20-10.1-16).

37 (3) For a secondary school, graduation rate.

38 (c) A plan must specify how and to what extent the school  
 39 expects to make continuous improvement in all areas of the  
 40 education system where results are measured by setting  
 41 benchmarks for progress on an individual school basis.

42 (d) A plan must note specific areas where improvement is  
 43 needed immediately.

44 Sec. 4. (a) A plan may include a request for a waiver of  
 45 applicability of a rule or statute to a school.

46 (b) The governing body may waive any rule adopted by the

board for which a waiver is requested in a plan, except for a rule that is characterized as follows:

- (1) The rule relates to the health or safety of students or school personnel.
- (2) The rule is a special education rule under 511 IAC 7.
- (3) Suspension of the rule brings the school into noncompliance with federal statutes or regulations.
- (4) The rule concerns curriculum or textbooks.

(c) Upon request of the governing body and pursuant to a plan, the board may waive for a school or a school corporation any statute or rule relating to the following:

- (1) Curriculum.
- (2) Textbook selection.

**Sec. 5. (a) A plan must contain the following components for the school:**

- (1) A list of the statutes and rules that the school wishes to have suspended from operation for the school.
- (2) A description of the curriculum and information concerning the location of a copy of the curriculum that is available for inspection by members of the public.
- (3) A description and name of the assessments that will be used in the school in addition to ISTEP assessments.
- (4) A community wide strategy for meeting academic standards and achieving the objectives established in the plan.
- (5) A report to be issued to the board and made available to all interested persons in an easily understood format.
- (6) A demonstration of community support for the plan.
- (7) A provision to maximize parental participation in the school.
- (8) For a secondary school, a provision to do the following:
  - (A) Offer courses that allow all students to become eligible to receive an academic honors diploma.
  - (B) Encourage all students to earn an academic honors diploma or complete the Core 40 curriculum.
- (9) A provision to maintain a safe and disciplined learning environment for students and teachers.
- (10) A provision for the coordination of technology initiatives and ongoing professional development activities.

(b) If, for a purpose other than a plan under this chapter, a school has developed materials that are substantially similar to a component listed in subsection (a), the school may substitute those materials for the component listed in subsection (a).

**Sec. 6. The department shall act as a clearinghouse for plans and make effective plans available to school corporations as models to use in developing and carrying out plans.**

**Chapter 4. Student Educational Achievement Grants**

1       **Sec. 1.** As used in this chapter, "fund" refers to the student  
2 educational achievement fund established under section 3 of this  
3 chapter.

4       **Sec. 2.** As used in this chapter, "grant" refers to a student  
5 educational achievement grant from the fund.

6       **Sec. 3. (a)** The student educational achievement fund is  
7 established to provide funds to stimulate and recognize improved  
8 student performance in meeting academic standards under the  
9 ISTEP program. The fund is administered by the department.

10       **(b)** The fund consists of appropriations from the general  
11 assembly.

12       **(c)** Money in the fund at the end of a state fiscal year does not  
13 revert to the state general fund.

14       **Sec. 4.** The general assembly shall determine the statewide  
15 amount available for grants in appropriations beginning during the  
16 2003-2005 biennium. The maximum amount available to a school  
17 is determined by referencing the number of full-time certified  
18 teaching positions for the school. The department, under the  
19 direction of the state superintendent, shall determine the available  
20 amounts and distribute the grants earned.

21       **Sec. 5. (a)** This section applies to a school in which fewer than  
22 ninety percent (90%) of the students in the school meet the  
23 academic standard under the ISTEP program during a school  
24 year.

25       **(b)** Beginning with the 2003-2004 school year, a school is entitled  
26 to a grant if there is at least a five percent (5%) improvement in  
27 the number of students in the school who meet the academic  
28 standard under the ISTEP program over the number of students  
29 who met the academic standard in the school year immediately  
30 preceding the school year for which the school seeks a grant.

31       **Sec. 6. (a)** This section applies to a school in which ninety  
32 percent (90%) or more of the students in the school meet the  
33 academic standard under the ISTEP program during a school  
34 year.

35       **(b)** Beginning with the 2003-2004 school year, a school is entitled  
36 to a grant if at least ninety percent (90%) of the students in the  
37 school continue to meet the academic standard under the ISTEP  
38 program.

39       **Sec. 7. (a)** The education roundtable shall study the use of  
40 assessment data by individual student who is assessed for purposes  
41 of implementing this chapter, analyzing student performance over  
42 time on various assessments, and other purposes developed by the  
43 roundtable. The roundtable shall make initial recommendations on  
44 the use of assessment data by individual student to the board by  
45 January 1, 2001.

46       **(b)** Any recommendation of the roundtable concerning the use

1 of assessment data by individual student must be tested in a pilot  
 2 project before the recommendation may be implemented on a  
 3 statewide basis.

4 **Chapter 5. Assessing Improvement**

5 **Sec. 1. (a)** The performance of a school's students on ISTEP and  
 6 other assessments is the primary means of assessing a school's  
 7 improvement.

8 (b) The education roundtable shall examine and make  
 9 recommendations to the board concerning:

10 (1) performance indicators that shall be used as secondary  
 11 means of determining school progress;

12 (2) expected progress levels, continuous improvement  
 13 measures, distributional performance levels, and absolute  
 14 performance levels for schools; and

15 (3) an orderly transition from the performance based  
 16 accreditation system to the assessment system set forth in this  
 17 article.

18 (c) The education roundtable shall consider methods of  
 19 measuring improvement and progress used in other states in  
 20 developing recommendations under this section.

21 (d) The education roundtable shall make recommendations to  
 22 the board by January 1, 2001.

23 (e) The board shall implement the recommendations of the  
 24 education roundtable by January 1, 2002.

25 **Sec. 2. (a)** In addition to scores on ISTEP and other assessments,  
 26 the department shall use the performance indicators developed  
 27 under section 1 of this chapter and the benchmarks and indicators  
 28 of performance in each school corporation's annual performance  
 29 report to assess the improvement of each school and school  
 30 corporation.

31 (b) The department shall assess improvement in the following  
 32 manner:

33 (1) Compare each school and each school corporation to its  
 34 own prior performance and not to the performance of other  
 35 schools or school corporations.

36 (2) Compare the actual results in the annual report with the  
 37 benchmarks and indicators of performance established in the  
 38 plan for the same school.

39 (3) Compare the results for a school by comparing each  
 40 student's results for each grade with the student's prior year  
 41 results, with an adjustment for student mobility rate. The  
 42 roundtable shall make recommendations concerning the  
 43 incorporation of a statistical adjustment for student mobility  
 44 rates into the results.

45 **Sec. 3.** The board shall establish a number of categories or  
 46 designations of school improvement based on the improvement

1 that a school makes in performance on the measures determined  
 2 by the board with the advice of the education roundtable. The  
 3 categories or designations must reflect various levels of  
 4 improvement.

5 Sec. 4. The board shall place each school in a category or  
 6 designation of school improvement based upon the department's  
 7 findings from the assessment of the improvement of each school  
 8 under section 3 of this chapter. The board must place those schools  
 9 that do not show improvement in the lowest category or  
 10 designation.

#### 11 Chapter 6. Consequences

12 Sec. 1. (a) This section applies the first year that a school is  
 13 placed in the lowest category or designation of school  
 14 improvement.

15 (b) The board shall place the school and the school corporation  
 16 on notice that the school is in the lowest category or designation of  
 17 school improvement. Upon receiving the notice, the governing body  
 18 shall:

19 (1) issue a public notice of the school's lack of improvement;  
 20 and

21 (2) hold a public hearing in which public testimony is received  
 22 concerning the lack of improvement.

23 (c) The committee that developed the school's plan under  
 24 IC 20-10.2-3 shall revise the school's plan. A revision under this  
 25 subsection may include any of the following:

26 (1) Shifting resources.

27 (2) Changing personnel.

28 (3) A request to the board to appoint an outside team to  
 29 manage the school or assist in the development of a new plan.

30 (d) If the governing body approves a request for the board to  
 31 appoint an outside team under subsection (c)(3), the school is  
 32 considered to be placed under section 2 of this chapter.

33 Sec. 2. (a) This section applies if, in the second year after initial  
 34 placement in the lowest category or designation, a school still  
 35 remains in the lowest category or designation.

36 (b) The board shall establish and assign an expert team to the  
 37 school. The expert team:

38 (1) must include representatives from the community or  
 39 region that the school serves; and

40 (2) may include:

41 (A) school superintendents, members of governing bodies,  
 42 and teachers from school corporations that are in high  
 43 categories or designations; and

44 (B) special consultants or advisers.

45 (c) The expert team shall:

46 (1) assist the school in revising the school's plan; and

(2) recommend changes, including the reallocation of resources or requests for technical assistance, in the school that will promote improvement.

**Sec. 3. (a) This section applies if in the fourth year after initial placement in the lowest category or designation, a school still remains in the lowest category or designation.**

**(b) The board shall do the following:**

**(1) Hold at least one (1) public hearing in the school corporation where the school is located to consider and hear testimony concerning the following options for school improvement:**

**(A) Merging the school with a nearby school that is in a higher category.**

**(B) Assigning a special management team to operate all or part of the school.**

**(C) The department's recommendations for improving the school.**

**(D) Other options for school improvement expressed at the public hearing, including closing the school.**

**(E) Revising the school's plan in any of the following areas:**

**(i) Changes in school procedures or operations.**

**(ii) Professional development.**

**(iii) Intervention for individual teachers or administrators.**

**(2) If the board determines that intervention will improve the school, implement one (1) or more of the options listed in subdivision (1).**

## **Chapter 7. Rules**

**Sec. 1. The board may adopt rules under IC 4-22-2 to implement this article.**

SECTION 14. IC 20-10.1-26-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. A pilot program eligible to be funded under this chapter must include all of the following:

(1) School based management models.

(2) Parental involvement strategies.

(3) Innovative integration of curricula, individualized education programs, nonstandard courses, or textbook adoption in the school improvement plan described under ~~IC 20-1-1.2-7(a)(2)(G)~~. **IC 20-1-1.2-7(7).**

(4) Training for participants to become effective members on school/community improvement councils."

Delete pages 2 through 14.

Page 15, delete lines 1 through 35.

Page 16, delete lines 4 through 10.

Page 16, line 11, delete "(c)" and insert "(b)".

Page 16, after line 20, begin a new paragraph and insert:

"SECTION 17. [EFFECTIVE UPON PASSAGE] (a) **Notwithstanding IC 20-1-1-6.3, as amended by this act, a school that is designated an Indiana school academic improvement school on June 30, 1999, continues as an Indiana school academic improvement school until June 30, 2002, if the school continues to meet the requirements of IC 20-1-1-6.3 as it existed on June 30, 1999.**

**(b) This SECTION expires July 1, 2002.**

SECTION 18. [EFFECTIVE JULY 1, 1999] (a) **Notwithstanding IC 20-1-1-6.5(h), as added by this act, a school may:**

**(1) appoint a committee to develop a professional development program that does not meet the membership requirements of a committee that develops a strategic and continuous improvement plan under IC 20-10.2-3-1, as added by this act; and**

**(2) develop a professional development program before developing a strategic and continuous improvement plan under IC 20-10.2-3, as added by this act.**

**(b) This section expires July 1, 2002.**

SECTION 19. **An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1750 as printed February 25, 1999.)

---

Representative Porter